

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF OHIO

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Riverrock Recycling & Crushing, LLC

2. All other names debtor used in the last 8 years

DBA River Rock

Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 27-0752058

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

1001 Brandt Pike  
Dayton, OH 45404

Number, Street, City, State & ZIP Code

P.O. Box, Number, Street, City, State & ZIP Code

Montgomery  
County

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) http://www.riverrockcrushing.com/

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

Debtor **Riverrock Recycling & Crushing, LLC**  
Name

Case number (if known)

**7. Describe debtor's business****A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

**B. Check all that apply**

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

**C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.**  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

**8. Under which chapter of the Bankruptcy Code is the debtor filing?****Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District \_\_\_\_\_  
District \_\_\_\_\_

When \_\_\_\_\_  
When \_\_\_\_\_

Case number \_\_\_\_\_  
Case number \_\_\_\_\_

Debtor **Riverrock Recycling & Crushing, LLC**  
Name

Case number (if known)

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?
- ☒ No  
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor Relationship  
District Case number, if known

11. Why is the case filed in this district?
- Check all that apply:
- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?
- ☒ No  
☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.
- Why does the property need immediate attention?** (Check all that apply.)
- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard?
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other
- Where is the property?**
- Number, Street, City, State & ZIP Code
- Is the property insured?**
- ☐ No
- ☐ Yes. Insurance agency
- Contact name
- Phone

**Statistical and administrative information**

13. Debtor's estimation of available funds
- Check one:
- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors
- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000   | <input type="checkbox"/> 25,001-50,000     |
| <input type="checkbox"/> 50-99           | <input type="checkbox"/> 5001-10,000   | <input type="checkbox"/> 50,001-100,000    |
| <input type="checkbox"/> 100-199         | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999         |  |  |

15. Estimated Assets
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> \$0 - \$50,000                     | <input type="checkbox"/> \$1,000,001 - \$10 million    | <input type="checkbox"/> \$500,000,001 - \$1 billion     |
| <input type="checkbox"/> \$50,001 - \$100,000               | <input type="checkbox"/> \$10,000,001 - \$50 million   | <input type="checkbox"/> \$1,000,000,001 - \$10 billion  |
| <input type="checkbox"/> \$100,001 - \$500,000              | <input type="checkbox"/> \$50,000,001 - \$100 million  | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input checked="" type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion          |

16. Estimated liabilities
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
|---|--|--|

Debtor

**Riverrock Recycling & Crushing, LLC**

Case number (if known)

Name

☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **Riverrock Recycling & Crushing, LLC**  
Name

Case number (if known)

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **August 12, 2021**  
MM / DD / YYYY

**X /s/ Orville E. Lykins**

Signature of authorized representative of debtor

**Orville E. Lykins**

Printed name

Title **Operations Manager**

**18. Signature of attorney**

**X /s/ Darlene E. Fierle**

Signature of attorney for debtor

Date **August 12, 2021**

MM / DD / YYYY

**Darlene E. Fierle 0081217**

Printed name

**Law Offices of Ira H. Thomsen**

Firm name

**140 North Main Street, Suite A  
P.O. Box 639  
Springboro, OH 45066**

Number, Street, City, State & ZIP Code

Contact phone **937-748-5001**

Email address **dfierle@ihtlaw.com**

**0081217 OH**

Bar number and State

**Fill in this information to identify the case:**

Debtor name Riverrock Recycling & Crushing, LLC

United States Bankruptcy Court for the: SOUTHERN DISTRICT OF OHIO

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

Official Form 202

**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule* \_\_\_\_\_
- ☐ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 12, 2021

**X /s/ Orville E. Lykins**

Signature of individual signing on behalf of debtor

**Orville E. Lykins**

Printed name

**Operations Manager**

Position or relationship to debtor

**Fill in this information to identify the case:**

Debtor name **Riverrock Recycling & Crushing, LLC**  
 United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF OHIO**  
 Case number (if known): \_\_\_\_\_

☐ Check if this is an  
 amended filing

**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Adonna Friezell 4845 Powell Road Huber Heights, OH 45424		Wages				Unknown
AggCorp Equipment C/O Commercial Collection Bureau 149 Thompson Ave E, Suite 214 Saint Paul, MN 55118		Trade Debt				\$44,000.00
Banc of America Leasing and Capital, LLC 2500 W. Big Beaver Road Troy, MI 48084		Deficiency balance from 2012 Volvo Excavator w/ Bucket EC380DL	Contingent Unliquidated Disputed	\$256,622.90	\$99,400.00	\$216,360.25
Betsy Shafford 1737 Fairlyn Drive Beavercreek, OH 45432		Wages				Unknown
D&L Equipment 3203 Brooklyn Road Jackson, MI 49203		Trade Debt				\$32,927.30
D&S Auto Parts, dba Napa Auto Parts 700 N. University Blvd. Middletown, OH 45042		Judgment Lien. Does not secure to any equity in Debtor's Property.				\$7,261.13
David Adkins 1181 Pebbles Drive Fairborn, OH 45324		Wages				Unknown

Debtor **Riverrock Recycling & Crushing, LLC**  
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
De Lage Landen Financial Services, Inc. 1111 Old Eagle School Road Wayne, PA 19087		Judgment Lien. Does not secure any equity in Debtor's Property. Deficiency balance from 2013 Hyundai Wheel Loader 780; HL780XTD-9A; Deficiency balanc	Contingent Unliquidated Disputed			\$523,295.94
John Deere Financial P.O. Box 4450 Carol Stream, IL 60197-4450		Fuel/Diesel. Trade Debt				\$79,125.06
Mid Central Op. Eng.s Benefits & Welfare 1100 Poplar Street Terre Haute, IN 47808		Dues from Prior Contract Job				\$16,515.70
Midwest Aggregate Parts, LLC 3203 Brooklyn Road Jackson, MI 49203		Trade Debt				\$33,048.50
Ohio Department of Taxation C/O Bankruptcy Division 30 East Broad Street, 21st Floor Columbus, OH 43215		1001 Brandt Pike, Dayton, Ohio 45404. No building on Property. Appraised value. Underlying Commerical Activity Tax has been paid but lien is not relea	Disputed	\$28,388.51	\$99,400.00	\$28,388.51
Ohio Department of Taxation C/O Bankruptcy Division 30 East Broad Street, 21st Floor Columbus, OH 43215		1001 Brandt Pike, Dayton, Ohio 45404. No building on Property. Appraised value. Underlying Commerical Activity Tax has been paid but lien is not relea	Disputed	\$73,514.54	\$99,400.00	\$73,514.54



Debtor **Riverrock Recycling & Crushing, LLC**  
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Ohio Department of Taxation C/O Bankruptcy Division 30 East Broad Street, 21st Floor Columbus, OH 43215		1001 Brandt Pike, Dayton, Ohio 45404. No building on Property. Appraised value. Underlying Commerical Activity Tax has been paid but lien is not relea	Disputed	\$57,715.77	\$99,400.00	\$57,715.77
Ohio Department of Taxation C/O Bankruptcy Division 30 East Broad Street, 21st Floor Columbus, OH 43215		1001 Brandt Pike, Dayton, Ohio 45404. No building on Property. Appraised value. Underlying Commerical Activity Tax has been paid but lien is not relea	Disputed	\$41,584.60	\$99,400.00	\$41,584.60
People's United Equipment Finance Corp. 4225 Naperville Road, Suite 265 Lisle, IL 60532		1001 Brandt Pike, Dayton, Ohio 45404. No building on Property. Appraised value.				\$928,612.00
People's United Equipment Finance Corp. 4225 Naperville Road, Suite 265 Lisle, IL 60532		2011 Powerscreen Impactor XH500. Missing final drive. \$100,000.00 2014 MGL Conveyor Radial. Broke main frame. \$10,000.00 2006 Pegson Impactor 141	Contingent Unliquidated Disputed	\$254,201.98	\$286,000.00	\$254,201.98
RECO Equipment, Inc. 1040 Reed Road Monroe, OH 45050		Trade Debt				\$318.00
Rudd Equipment Company, Inc. P.O. Box 77000 Dept. 77432 Detroit, MI 48277-0432		Judgment Lien. Does not secure any equity in Debtor's Property.				\$44,246.08
Rumpke Trash P.O. Box 538710 Cincinnati, OH 45253		Trade Debt				\$302.11

**United States Bankruptcy Court  
Southern District of Ohio**

In re Riverrock Recycling & Crushing, LLC

Debtor(s)

Case No.

Chapter

11

**LIST OF EQUITY SECURITY HOLDERS**

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Daniel Edward Montgomery 267 Cambridge Drive Fairborn, OH 45324	Member	50%	Ownership
Orville E. Lykins 1225 Ortego Drive Fairborn, OH 45324	Member	50%	Ownership

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I, the **Operations Manager** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date August 12, 2021

Signature /s/ Orville E. Lykins  
Orville E. Lykins

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.*

Adonna Friezell  
4845 Powell Road  
Huber Heights, OH 45424

AGGCORP  
22800 Lakeland Blvd.  
Cleveland, OH 44132

AggCorp Equipment  
C/O Commercial Collection Bureau  
149 Thompson Ave E, Suite 214  
Saint Paul, MN 55118

Andrew C. Voorhees  
965 Keynote Circle  
Independence, OH 44131

Banc of America Leasing and Capital, LLC  
2500 W. Big Beaver Road  
Troy, MI 48084

Betsy Shafford  
1737 Fairlyn Drive  
Beavercreek, OH 45432

Bradley D. McPeak, Esq.  
Lindgorst & Dreidame Co., LPA  
312 Walnut Street, Suite 3100  
Cincinnati, OH 45202

D&L Equipment  
3203 Brooklyn Road  
Jackson, MI 49203

D&S Auto Parts, dba Napa Auto Parts  
700 N. University Blvd.  
Middletown, OH 45042

Daniel Edward Montgomery  
267 Cambridge Drive  
Fairborn, OH 45324

Daniel Montgomery  
267 Cambridge Drive  
Fairborn, OH 45324

David Adkins  
1181 Pebbles Drive  
Fairborn, OH 45324

De Lage Landen Financial Services, Inc.  
1111 Old Eagle School Road  
Wayne, PA 19087

De Lage Landen Financial Services, Inc.  
P.O. Box 41602  
Philadelphia, PA 19101-1602

Dustin Salyers  
7780 Bellefontaine Road  
Huber Heights, OH 45424

Jeffrey R. Pfirrmann  
Graydon Head & Ritchey LLP  
312 Walnut Street, Suite 1800  
Cincinnati, OH 45202

John Deere Financial  
P.O. Box 4450  
Carol Stream, IL 60197-4450

John Deere Financial  
6400 NW 86th Street  
P.O. Box 6600  
Johnston, IA 50131-6600

Michael Engle  
705 S. Maple Avenue  
Fairborn, OH 45324

Mid Central Op. Eng.s Benefits & Welfare  
1100 Poplar Street  
Terre Haute, IN 47808

Midwest Aggregate Parts, LLC  
3203 Brooklyn Road  
Jackson, MI 49203

Montgomery County Treasurer  
451 West Third Street  
Dayton, OH 45422

Nicola G. Suglia, Esq.  
Fleischer, Fleischer & Suglia  
601 Route 73, Suite 305  
Marlton, NJ 08053

Ohio Attorney General  
Attn: Bankruptcy Unit  
150 East Gay Street, 21st Floor  
Columbus, OH 43215

Ohio Department of Taxation  
C/O Bankruptcy Division  
30 East Broad Street, 21st Floor  
Columbus, OH 43215

Ohio Department of Taxation  
Attn: Bankruptcy Division  
PO Box 530  
Columbus, OH 43216

Orville E. Lykins  
1225 Ortego Drive  
Fairborn, OH 45324

People's United Equipment Finance Corp.  
4225 Naperville Road, Suite 265  
Lisle, IL 60532

Rachel Mason, Esq.  
5181 Natorp Blvd., Suite 202  
P.O. Box 498367  
Cincinnati, OH 45249

RECO Equipment, Inc.  
1040 Reed Road  
Monroe, OH 45050

Ricky Fowler  
4564 St. Rt. 97E  
Perrysville, OH 44864

Robert Grawl, Jr.  
1300 Post Oak Blvd.  
Suite 1300  
Houston, TX 77056

Robery Boich, Special Counsel  
6245 Emerald Pkwy, Ste B  
Dublin, OH 43016-3311

Rudd Equipment Company, Inc.  
P.O. Box 77000  
Dept. 77432  
Detroit, MI 48277-0432

Rumpke Trash  
P.O. Box 538710  
Cincinnati, OH 45253

Steven Blair  
136 W. Cedar Road  
Medway, OH 45431

VFS US, LLC  
P.O. Box 26131  
Greensboro, NC 27402

**United States Bankruptcy Court  
Southern District of Ohio**

In re **Riverrock Recycling & Crushing, LLC**

Debtor(s)

Case No.  
Chapter

**11**

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Riverrock Recycling & Crushing, LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

**August 12, 2021**

Date

**/s/ Darlene E. Fierle**

**Darlene E. Fierle 0081217**

Signature of Attorney or Litigant

Counsel for **Riverrock Recycling & Crushing, LLC**

**Law Offices of Ira H. Thomsen**

**140 North Main Street, Suite A**

**P.O. Box 639**

**Springboro, OH 45066**

**937-748-5001 Fax:937-748-5003**

**dfierle@ihtlaw.com**

**United States Bankruptcy Court  
Southern District of Ohio**

In re **Riverrock Recycling & Crushing, LLC**

Debtor(s)

Case No.

Chapter

**11**

**STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION**

I, **Orville E. Lykins**, declare under penalty of perjury that I am the **Operations Manager** of **Riverrock Recycling & Crushing, LLC**, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the **12th** day of **August**, 2021.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Orville E. Lykins, Operations Manager** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Orville E. Lykins, Operations Manager** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Orville E. Lykins, Operations Manager** of this Corporation is authorized and directed to employ **Darlene E. Fierle 0081217**, attorney and the law firm of **Law Offices of Ira H. Thomsen** to represent the corporation in such bankruptcy case."

Date **August 12, 2021**

Signed **/s/ Orville E. Lykins**

**Orville E. Lykins**

Resolution of Board of Directors  
of  
**Riverrock Recycling & Crushing, LLC**

Whereas, it is in the best interest of this corporation to file a voluntary petition in the the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Orville E. Lykins, Operations Manager** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Orville E. Lykins, Operations Manager** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Orville E. Lykins, Operations Manager** of this Corporation is authorized and directed to employ **Darlene E. Fierle 0081217**, attorney and the law firm of **Law Offices of Ira H. Thomsen** to represent the corporation in such bankruptcy case.

Date August 12, 2021

Signed /s/ Orville E. Lykins  
**Orville E. Lykins,**

Date August 12, 2021

Signed /s/ Daniel Montgomery  
**Daniel Montgomery**